


Idaho Department of Correction  	<b>Standard Operating Procedure</b>	Title: <b>Human Immunodeficiency Virus (HIV)</b>		Page: 1 of 5
		Control Number: <b>401.06.03.075</b>	Version: <b>3.0</b>	Adopted: 03-01-2007

**Kevin Kempf, director, approved this document on 12/09/2014.**

**Open to the public:** ☒ **Yes** ☐ **No**

## SCOPE

This SOP applies to all Idaho Department of Correction (IDOC) healthcare services staff, offenders, contract medical providers, and subcontractors.

<b>Revision History</b>
Revision date (12/09/2014) version 3.0: Administrative change removing inmate worker restrictions, update header and formatting.

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## BOARD OF CORRECTION IDAPA RULE NUMBER 401

Medical Care

## POLICY CONTROL NUMBER 401

Clinical Services and Treatment

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## PURPOSE

The purpose of this standard operating procedure (SOP) is to establish procedures for testing, reporting, and educating those offenders who have acquired the human immunodeficiency virus (HIV).

## RESPONSIBILITY

### ***Health Authority***

The health authority is responsible for:

- Monitoring and overseeing all aspects of healthcare services; and
- The implementation and continued practice of the provisions provided in this SOP.

When healthcare services are privatized, he will also be responsible for:

- Reviewing and approving (prior to implementation) all applicable contract medical provider policy, procedure, and forms; and
- Monitoring the contract medical provider's performance, to include but not limited to reviewing processes, procedures, forms, and protocols employed by the contract medical provider to ensure compliance with all healthcare-related requirements provided in respective contractual agreements, this SOP, **and** in *National Commission on Correctional Health Care (NCCHC)* standards P-B-01, Infection Control Program; and P-G-01, Chronic Disease Services.

### ***Facility Medical Director***

The facility medical director **and** facility health authority (or designees) will be jointly responsible for ensuring that an exposure control plan is addressed by applicable contract medical provider policy and procedure, and submitted to the health authority for review and approval prior to implementation.

### ***Contract Medical Provider***

When healthcare services are privatized, the contract medical provider is responsible for:

- Implementing and practicing all provisions of this SOP, unless specifically exempted by written contractual agreements;
- Ensuring that all aspects of this SOP and *NCCHC standards P-B-01 and P-G-01* are addressed by applicable contract medical provider policy and procedure;
- Ensuring facility health authorities utilize all applicable contract medical provider policy, procedure, forms, and educational information to fulfill all healthcare-related requirements provided in this SOP, *NCCHC standard P-B-01, NCCHC standard P-G-01*, **or** as indicated in their respective contractual agreement(s); and
- Ensuring all applicable contract medical provider policy, procedure, and forms are submitted to the health authority for review and approval prior to implementation.

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Nothing in this SOP shall be construed to relieve the contract medical provider(s) of any obligation and/or responsibility stipulated in respective contractual agreements.

### ***Facility Health Authority***

The facility health authority will be responsible for:

- Ensuring the presence of an adequate number of appropriately trained staff and materials are available to meet the requirements of this SOP;
- Establishing and monitoring applicable contract medical provider policy and procedure to ensure that all elements of this SOP, *NCCHC standard P-B-01*, and *NCCHC standard P-G-01* are accomplished as required; and
- Establishing formal relationships with community hospitals, specialists, and others as needed to meet the requirements of this SOP **and** *NCCHC standard P-G-01*.

In addition, the facility health authority **and** facility medical director (or designees) will be jointly responsible for ensuring that an exposure control plan is addressed by applicable contract medical provider policy and procedure, and submitted to the health authority for review and approval prior to implementation.

## **GENERAL REQUIREMENTS**

### **1. Screening Offenders**

#### ***At Intake***

All offenders who arrive at the Reception and Diagnostic Unit (RDU) will be screened for the HIV. Those offenders showing positive results will receive a confirming test (see section 6) to determine their status relative to the virus. Any further testing, diagnostic studies, or exams that may be pertinent to an HIV diagnosis will be determined by the contract medical provider.

#### ***Upon Full-Term Release or Upon Release to Parole***

All IDOC offenders shall be tested for HIV within 60 days prior to their full-term release or release to parole date, but only if they have not been tested previously **or** if the contract medical provider determines another test is appropriate. Testing will be provided in accordance with Idaho Code, sections 39-601 and 39-604.

### **2. Offender Housing**

An offender diagnosed as HIV positive will not normally be isolated from routine housing and programmatic assignments. Housing and program assignments may be modified if deemed necessary for medical issues **or** offender safety and/or security purposes.

### **3. Case Reporting**

When a positive HIV test result is detected, the contract medical provider shall notify the Idaho Department of Health and Welfare. (Idaho Code, section 39-602)

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An offender has the right to medical confidentiality. Therefore, all confirmed HIV positive cases shall be reported through the appropriate health channels as required by state and federal statute and regulations.

All medical data is confidential. See Idaho Code, sections 39-606 and 39-610.

#### **4. Training: Staff and Protective Equipment**

All healthcare services and security staff shall be educated on the universal precautions **and** use of personal protective equipment to prevent the contraction and spread of HIV and other communicable diseases.

#### **5. Educating Offenders about HIV and AIDS**

The contract medical provider shall provide HIV and AIDS (Acquired Immune Deficiency Syndrome) information to all offenders entering the correctional system through the RDU and thereafter upon the offenders' request.

#### **6. HIV Testing**

If during a physical confrontation there is an exchange of bodily fluids between an offender **and** a security or healthcare services staff member due to a bite or broken skin, then the offender **and** staff member shall receive an HIV test as a precautionary measure. HIV testing shall be conducted immediately (or as soon as possible), and follow-up testing shall occur at three (3) and six (6) months respectively. The offender's testing shall be provided by the contract medical provider, while the staff member's testing shall be conducted by a qualified health professional of the staff member's choosing. All IDOC staff member injuries shall be reported in accordance with SOP 206.07.01.005, *Workers' Compensation*.

### **DEFINITIONS**

#### ***Acquired Immune Deficiency Syndrome (AIDS):***

- Acquired means: you can get infected with it;
- Immune deficiency means: a weakness in the body's system that fights disease; and
- Syndrome means: a group of health problems that make up a disease.

***Contract Medical Provider:*** A private company or other entity that is under contract with the Idaho Department of Correction (IDOC) to provide comprehensive medical, dental, and/or mental health services to the IDOC's incarcerated offender population.

***Facility Health Authority:*** The contract medical provider employee who is primarily responsible for overseeing the delivery of medical services in an Idaho Department of Correction (IDOC) facility.

***Facility Medical Director:*** The highest ranking physician in an Idaho Department of Correction (IDOC) facility.

***Health Authority:*** The Idaho Department of Correction (IDOC) employee who is primarily responsible for overseeing or managing the IDOC's medical services. (The health authority is commonly referred to as the health services director.)

***Human Immunodeficiency Virus (HIV):*** The virus that is the causative agent for acquired immune deficiency syndrome (AIDS).

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**Qualified Health Professional:** A physician, physician assistant, nurse practitioner, nurse, dentist, mental health professional, or other health professional who — by virtue of his education, training, credentials, and experience — is permitted by law (within the scope of his professional practice) to educate, train, evaluate, provide services, and care for patients.

**Reception and Diagnostic Unit (RDU):** Initial housing for newly committed offenders (except those under sentence of death) where orientation, screening, assessment, and classification occur.

## REFERENCES

Idaho Code, Title 39, Chapter 6, Section 39-601, *Venereal Diseases Enumerated*

Idaho Code, Title 39, Chapter 6, Section 39-602, *Report of Venereal Disease to Health Authorities*

Idaho Code, Title 39, Chapter 6, Section 39-604, *Confined and Imprisoned Persons – Examination, Treatment, and Quarantine – Victims of Sexual Offenses – Access to Offenders’ Test Results, Testing for HIV, Counseling and Referral Services*

Idaho Code, Title 39, Chapter 6, Section 39-606, *Reports*

Idaho Code, Title 39, Chapter 6, Section 39-610, *Disclosure of HIV and HBV Reporting Information*

National Commission on Correctional Health Care (NCCHC), Position Statements, *Administrative Management of HIV in Correctional Institutions* ([www.ncchc.org](http://www.ncchc.org))

National Commission on Correctional Health Care (NCCHC), *Standards for Health Services in Prisons*, Standard P-B-01, Infection Control Program

National Commission on Correctional Health Care (NCCHC), *Standards for Health Services in Prisons*, Standard P-G-01, Chronic Disease Services

Standard Operating Procedure 206.07.01.005, *Workers’ Compensation*

State of Idaho, Department of Health and Welfare ([www.dhw.idaho.gov](http://www.dhw.idaho.gov))

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